

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 2/4/2014	(3) CONTACT/PHONE Rob Fitzroy, Planner III / 781-5179	
(4) SUBJECT Hearing to consider adoption of a resolution to approve a request by Port San Luis Harbor District to waive permit processing fees associated with the Development Plan/Coastal Development Permit for the Harbor Terrace Project (DRC2013-00044). District 3.			
(5) RECOMMENDED ACTION It is recommended that the Board adopt the and instruct the Chairperson to sign a resolution to waive half of the permit processing fees associated with the Harbor Terrace Project (DRC2013-00044) proposed by Port San Luis Harbor District, based on the findings in Exhibit A.			
(6) FUNDING SOURCE(S) General Fund	(7) CURRENT YEAR FINANCIAL IMPACT \$8,664.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT { } Consent { } Presentation { X } Hearing (Time Est. <u>30 min</u>) { } Board Business (Time Est. <u> </u>)			
(11) EXECUTED DOCUMENTS { X } Resolutions { } Contracts { } Ordinances { } N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: { } 4/5 Vote Required { X } N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY { X } N/A Date: <u> </u>	
(17) ADMINISTRATIVE OFFICE REVIEW			
(18) SUPERVISOR DISTRICT(S) District 3 -			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Rob Fitzroy, Planner III

VIA: Matt Janssen, Division Manager

DATE: 2/4/2014

SUBJECT: Hearing to consider adoption of a resolution to approve a request by Port San Luis Harbor District to waive permit processing fees associated with the Development Plan/Coastal Development Permit for the Harbor Terrace Project (DRC2013-00044). District 3.

RECOMMENDATION

It is recommended that the Board adopt the and instruct the Chairperson to sign a resolution to waive half of the permit processing fees associated with the Harbor Terrace Project (DRC2013-00044) proposed by Port San Luis Harbor District, based on the findings in Exhibit A.

DISCUSSION

Request

The Port San Luis Harbor District, a public agency, has applied for a waiver of the land use permit processing fee associated with the Development Plan/Coastal Development Permit request for the Harbor Terrace Project. The Harbor Terrace Project is located across from the Old Port beach on the uphill side of Avila Beach Drive adjacent to the entrance to Diablo Canyon. The project would develop a mix of tent camping sites, cabins/yurts/bungalows, RV camp sites, related amenities such as food and beverage, restrooms, and parking, as well as office and storage facilities to serve the Port. The Harbor Terrace Project and associated land uses are identified in the Port San Luis Master Plan, the Local Coastal Plan and the San Luis Bay Area Plan. The proposed project is intended to be consistent with development standards for the Harbor Terrace project site as identified in the Port San Luis Master Plan, the Local Coastal Plan and the San Luis Bay Area Plan. The project would require a Development Plan/Coastal Development Permit.

The land use permit processing fees associated with the proposed project are estimated to be \$17,328.00. The Director of Planning and Building has the authority to waive up to \$5,000 in land use permit fees. The Board of Supervisors has the authority to waive land use and building permit fees exceeding \$5,000.

Justification

The fee waiver criteria are established by the Board of Supervisors. Any applicant can apply for a fee waiver, but projects must meet one or more of the following specific criteria to be eligible for a fee waiver: the proposal must be available for use by the public at large and is likely that the project will be used or will benefit more than the residents of the immediate vicinity, and will be of obvious public benefit (including, but not limited to the following examples):

- meets a new or previously identified need recognized by the Board of Supervisors,
- replaces a facility that previously provided a public benefit,
- provide a facility not presently available in the community,

- has generated substantial, obvious community support, or
- would reduce other County costs or increase other County revenues.

Port San Luis Harbor District states that the proposed project would provide various public benefits, including: low cost visitor accommodations, restoration of the Harbor Terrace project site, increased coastal access, and increased recreational opportunities.

Staff acknowledges that the proposed project would provide public benefits relative to low cost visitor accommodations, increased coastal access, and increased recreational opportunities. In addition, this project is envisioned and planned for in the Port San Luis Master Plan, the Local Coastal Plan and the San Luis Bay Area Plan. However, once the Harbor Terrace project is operational, Port San Luis Harbor District would generate revenue from the project, as the Port would collect fees for camping/parking/RV camping and other on-site uses. In addition, the project would include offices and storage facilities for the benefit of Port San Luis Harbor District.

As such, the project meets certain criteria listed above by providing various public benefits, but the project would also directly benefit the Port San Luis Harbor District. For these reasons, Planning staff is presenting this fee waiver request to the Board of Supervisors for consideration and would recommend that the Board waive half of the permit processing fees associated with the Harbor Terrace Project. As a result, should the Board approve staff's recommendation, \$8,664.00 would be waived. However, in consideration of the request, the Board may also choose to waive the full amount, deny the waiver altogether, or determine to waive a different amount.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has approved the Resolution as to form and legal effect

FINANCIAL CONSIDERATIONS

The land use permit processing fees associated with the proposed project are estimated to be \$17,328.00. These fees are intended to cover the Department and Planning Building staff costs for all project-related tasks, including report review and evaluation, applicant, consultant and agency meetings, California Environmental Quality Act (CEQA) noticing, public hearing noticing, field visits, and other related work.

Port San Luis has received grant funding from the State Coastal Conservancy for implementation of this project.

RESULTS

Approving the waiver would result in staff processing the land use application for \$8,664.00 as opposed to \$17,328.00.

Denying the waiver would require the applicant to provide \$17,328.00 to cover staff costs associated with processing the land use application.

ATTACHMENTS

- Attachment A - Resolution
 - Exhibit A to Resolution - Findings
 - Exhibit B to Resolution - Fee Schedule Footnote
- Attachment B - Vicinity Map